GOVERNMENT OF INDIA
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
LOK SABHA

UNSTARRED QUESTION NO:729
ANSWERED ON:01.03.2016
Legal Metrology
Antony Shri Anto

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether the Government has revised/ amended the Legal Metrology (Packaged Commodities) Rule, 2011; and

(b) if so, the details thereof indicating the major amendments made therein?

Answer

THE MINISTER OF
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI RAM VILAS PASWAN)

(a) & (b) : Madam, the Legal Metrology (Packaged Commodities) Rules, 2011 were notified under the Legal Metrology Act, 2009 vide GSR 202 (E) dated 7th March, 2011 and were come into force w.e.f. 1st April , 2011 with the Legal Metrology Act and other Rules framed under the said Act.

Yes Madam, these Rules are amended from time to time in the interest of consumers and industries. The major amendments made in the said Rules are as follows:

(i) Proviso to the Rule 5 of the original rules provided for non standard packages. In order to protect the consumers interest to get the correct quantity amendments was made under the Rules, vide GSR 784 (E) dated 24th October, 2011 and vide GSR 426(E) dated 5th June, 2012 to omit the proviso of Rule 5 to pack the 19 commodities mentioned in the second schedule of the said rules in the prescribed pack sizes only.

These 19 commodities are Baby food, Weaning food, Biscuits, Bread including brown bread but excluding bun, Un-canned packages of butter and margarine, Cereals and Pulses, Coffee, Tea, Materials which may be constituted or reconstituted as beverages, Edible Oils Vanaspati, ghee, butter oil, Milk Powder, Non-soapy detergents (powder), Rice(powdered), flour, atta, rawa, and suji, salt, Soaps (Laundry Soap, Non-soapydetergent cakes/ bars, Toilet Soap including all kinds of bath soap, cakes), Aerated soft drinks, non-alcoholic beverages, Mineral water and drinking water, Cement in bags, Paint varnish etc. [Paint (other than paste paint or solid paint) varnish, varnish stains, enamels, Paste paint and solid paint, Base paint].

(ii) A new provision to Rule No.5 of the said Rules was inserted vide GSR 427 (E) dated 5th June, 2012 through an amendment, related with the sale of retail packages on promotional offer and value based packages from Rs. 1.00 to 10.00 irrespective of any quantity stated in the second schedule in the interest of small consumers. A new provision in Rule 6 was made for the packages containing genetically modified food to declare "GM" on its display panel.

(iii) A new provision to Rule No. 18 of the said Rules was inserted vide GSR 359(E) dated 6th June, 2013 through an amendment for the delivery of correct quantity of LPG cylinders to the consumers. A new provision in Rule 32 was made for the compounding sum for violation of provisions of Act and Rules to prescribe under the said Rules.

(iv) A new provision to Rule No. 6 of the said Rules was inserted vide GSR 137 dated 16th June, 2014, through an amendment that for 'every package containing soaps, shampoos, tooth pastes and other cosmetics and toiletries shall bear at the top of its principal display panel a red or, as the case may be, brown dot for products of non-vegetarian origin and a green dot for products of vegetarian origin' (However, Hon'ble High Court of Bombay and Delhi has directed not to make coercive action in the matter).

(v) A new provision to Rule No.26 of the said Rules was inserted vide GSR 870(E) dated 4th December, 2014, through an amendment that "any thread which is sold in coil to handloom weavers' is exempted from the purview of the Legal Metrology (Packaged Commodities) Rules, 2011 to safeguard the interest of small weavers.

(vi) To safeguard the interest of industries/consumers an amendment is made vide GSR 385(E) dated 14th May, 2015, to amend the definitions of industrial and institutional consumers under Rule 2 of the said Rules, in the interest of industries. A new provision in Rule 6 was made to allow the Importers to put a label on imported packages for making the declaration required under the Rules. Further, Rule 10 was also amended to allow the registered address of the company or firm to be declared on pre-packaged commodities. It is also made mandatory to declare all the declarations required under these rules on tobacco and tobacco products of any quantity by amending Rule 26 of the said Rules.

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